

REMARKS

Claims 1-7 remain pending in the present Application. Claims 1, 2, and 5 have been amended, leaving Claims 1-7 for further consideration.

Support for the amendment to Claims 1, 2, and 5 can be found in the carryover paragraph of pages 16-17 of Applicants' specification. It is believed that the amendments made herein may be properly entered at this time, i.e., after final rejection, because the amendments do not require a new search or raise new issues and reduce issues for appeal. Moreover, it is believed the amendments place the claims in condition for allowance. No new matter has been introduced by these amendments.

Reconsideration and allowance of the claims are respectfully requested in view of the following remarks.

Claim Rejection under 35 USC §103

Claims 1-3, 5, and 6 stand rejected under 35 USC §103(a) as being unpatentable over U.S. Patent No. 6,531,073 in view of U.S. Patent Nos. 4,180,740, 5,360,578, and 4,138,361, and WO Patent No 01/87801. Applicants respectfully traverse.

For an obviousness rejection to be proper, the Examiner must meet the burden of establishing a prima facie case of obviousness. *In re Fine*, 5 U.S.P.Q.2d 1596, 1598 (Fed. Cir. 1988). Establishing a prima facie case of obviousness requires that all elements of the invention be disclosed in the prior art. *In Re Wilson*, 165 U.S.P.Q. 494, 496 (C.C.P.A. 1970).

The cited references fail to establish a prima facie case of obviousness because the cited references fail to teach or suggest surface treatments that occur after calcining. In U.S. Patent No. 6,531,073, the disclosed surface treatment occurs *before* calcining. In U.S. 5,360,578, the phosphor particles are first sintered to form a mass and then pulverized to obtain the desired particles sizes. In U.S. Patent Nos. 4,138,361 and 4,180,740, the phosphors are subjected to ball milling. Finally, WO 01/87801 is directed to coating of stones and fails to teach or suggest any calcinations process. As such, none

KOY-0034
10/803,813

5

of the cited references addresses the moisture and sensitivity issues solved by the inventors that occur after calcination of the phosphors.

Accordingly, the rejection is requested to be withdrawn.

In view of the foregoing, it is requested that the rejection be withdrawn. There is no disclosure or suggestion of Applicants' claimed photostimulable phosphors and processes that are surface treated with a fluorine-containing compound.

It is believed that the foregoing amendments and remarks fully comply with the Office Action and that the claims herein should now be allowable to Applicants. Accordingly, reconsideration and allowance are requested.


The Examiner is invited to contact Applicants' Attorneys at the below-listed telephone number regarding this Amendment or otherwise regarding the present application.

If there are any charges with respect to this Amendment or otherwise, please charge them to Deposit Account No. 06-1130 maintained by Applicants' attorneys.

Respectfully submitted,

CANTOR COLBURN LLP

By:


Peter R. Hagerty

Registration No. 42,618
CANTOR COLBURN LLP
55 Griffin Road South
Bloomfield, CT 06002
Telephone (404) 607-9991
Facsimile (404) 607-9981
Customer No. 23413

Date: January 18, 2006

KOY-0034
10/803,813

6